

HOUSE No. 2840

By Mr. Walsh of Lynn, petition of Steven M. Walsh relative to clarifying the definition of home health and homemaker agencies. Children and Families.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT CLARIFYING THE DEFINITION OF HOME HEALTH AND HOMEMAKER AGENCIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 46A of Chapter 140 of the General Laws, as appearing
2 in the 2002 Official Edition is hereby amended by striking the
3 definition of “Person”, and inserting in place thereof the following
4 definition:
5 “Person”, any individual, company, society, association, corpo-
6 ration, manager, contractor, subcontractor, or their agents or
7 employees but shall not include any labor organization, as defined
8 in section two of chapter one hundred and fifty A; nor any agency
9 operated by a religious, charitable, nonprofit organization or
10 accredited educational institution no part of the earnings of which
11 inures to the benefit of any private shareholder or individual; nor
12 any agency operated by the federal, state or municipal govern-
13 ments; nor any person validly licensed pursuant to section one
14 hundred and eighty C; nor any entity certified under Title XIX of
15 the Social Security Act, 42 U.S.C. §1396 et seq.; nor any agency
16 or other entity that directly employs workers to provide supportive
17 home-based services on a part-time or full-time basis; provided,
18 however, the provisions of sections forty-six L through forty-six
19 O, inclusive, shall apply to such person.